

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:
LeClairRyan, PLLC,¹
Debtor

Case No. 19-34574-KRH
Chapter 7

WITNESS LIST AND RELATED DECLARATION

In accordance with Richmond General Order 22-2, Lynn L. Tavenner, Trustee, not individually, but solely in her capacity as the Chapter 7 trustee (in such capacity, the “**Trustee**”) of the bankruptcy estate (the “**Estate**”) of LeClairRyan PLLC (“**LeClairRyan**” and/or the “**Debtor**”), in the above-referenced Chapter 7 case (the “**Case**”) hereby files, by counsel, a witness list and related declaration.

WITNESS LIST

In support of the relief requested in the items designated on the *Proposed Hearing Agenda* [ECF No. 1594], the Trustee submits the following list:

1. Lynn L. Tavenner, Chapter 7 trustee

DECLARATION OF LYNN L. TAVENNER, TRUSTEE

I, Lynn L. Tavenner, Trustee, not individually but solely in my capacity as the Chapter 7 trustee (in such capacity, the “**Chapter 7 Trustee**” and/or the “**Trustee**”) of the bankruptcy estate (the “**Estate**”) of LeClairRyan PLLC (“**LeClairRyan**” and/or the “**Debtor**”), in the above-

¹ The principal address of the Debtor as of the petition date was 4405 Cox Road, Glen Allen, Virginia 23060, and the last four digits of the Debtor’s federal tax identification number are 2451.

referenced Chapter 7 case (the “Case”), pursuant to 28 U.S.C. § 1746, hereby declare as follows under penalty of perjury to the best of my knowledge, information, and belief:

1. I am the duly appointed Chapter 7 Trustee in the LeClairRyan Case.
2. I submit this declaration in support of the (1) *Ninth Application for Compensation for Tavenner Beran, PLC as Counsel to the Chapter 7 Trustee/Estate*, [ECF No. 1583]; (2) *Sixth Application for Compensation for CR3 Partners, LLC as Financial Advisor to the Chapter 7 Trustee/Estate*, [ECF No. 1584]; (3) *Seventh Application for Compensation for Barry Strickland & Company as Accountant*, [ECF No. 1586]; (4) *Final Application for Compensation for Cozen O'Connor as Special Counsel to the Chapter 7 Trustee/Estate*, [ECF No. 1585]; (5) *Fifth Application for Compensation for Quinn Emanuel Urquhart & Sullivan, LLP as Special Counsel to the Trustee*, [ECF No. 1582] (collectively, the “**Applications**” and each an “**Application**”); and (6) Case Status and Report pursuant to Local Rule 2015-(a)-(1)(A).

3. The statements in this Declaration are, except where specifically noted, based on my personal knowledge on information that I have obtained in connection with my role as the Trustee. If I were called upon to testify, I could and would competently testify to the facts set forth herein on that basis.

4. The Bankruptcy Code sets forth legal standards for the Court to award my professionals reasonable compensation for actual, necessary services rendered by such attorneys and paraprofessionals employed by such firms based on the nature, extent, and value of the services rendered, time spent on such services, and the cost of comparable services other than in a bankruptcy case. I understand that the Court may award reimbursement for actual, necessary expenses that benefit the Estate. I regularly review the invoices of Estate professionals and require modifications when I believe in the exercise of my business judgment adjustments are warranted

and in the best interest of the Estate. I have reviewed the Applications in the context of interim applications. I believe that the fees requested satisfy the loadstar factors enumerated in *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir. 1974) as adopted by the Fourth Circuit in *Barber v. Kimbrells, Inc.*, 577 F.2d 216, 226 (4th Cir.), *cert. denied*, 439 U.S. 934 (1978), and in *Anderson v. Morris*, 658 F.2d 246, 249 (4th Cir. 1981). The rates charged by my professionals are comparable to, if not less than, fees charged by other firms retained in similar capacities in comparable Chapter 7 cases, or, in all requisite instances, elevation above the rates in the Richmond Division is warranted by both the factors enumerated in 11 U.S.C. § 330 and the *Johnson* loadstar factors. I anticipate certain adjustments to future fee applications to address items in one or more of these interim Applications. And, in the exercise of my business judgment, I maintain that the amounts should be approved on an interim basis as being in the best interest of the Estate.

5. To the best of my knowledge, information, and belief, I declare under penalty of perjury that the foregoing is true and correct.

LYNN L. TAVENNER, CHAPTER 7 TRUSTEE

Dated: September 27, 2022
Richmond, Virginia

By: /s/ Lynn L. Tavenner
Lynn L. Tavenner, Chapter 7 Trustee

Respectfully submitted,
LYNN L. TAVENNER, CHAPTER 7 TRUSTEE

Dated: September 27, 2022
Richmond, Virginia

By: /s/ Paula S. Beran
Paula S. Beran, Esquire (VSB No. 34679)
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Tavenner & Beran, PLC
20 North 8th Street
Richmond, Virginia 23219
Telephone: (804) 783-8300
Counsel for Lynn L. Tavenner, Chapter 7 Trustee

CERTIFICATE OF SERVICE

I certify that on this 27th day of September 2022, a true copy of the foregoing Witness List and Related Declaration was sent electronically to:

Shannon F. Pecoraro, Esquire (Va. Bar No. 46864)
Department of Justice
Office of the United States Trustee
701 East Broad Street, Suite 4304
Richmond, Virginia 23219

And all other parties receiving CM/ECF notices in this Case.

/s/ *Paula S. Beran*
Paula S. Beran, Esquire
Counsel for Lynn L. Tavenner, Chapter 7 Trustee